

**REMARKS/ARGUMENTS**

In the Office Action mailed November 12, 2009, claims 1-10 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,732,076 to Masterson. With this response, Applicant has amended the independent claims 1 and 6 to include features not shown by Masterson. Claims 2 and 7 have been amended for greater clarity. New claims 11-14 have been added, and are supported by the application as filed. No new matter has been added. It is asserted that the application, as amended, is in condition for allowance. Further examination and reconsideration of the application are requested.

**Claim Amendments**

The independent claims have been amended to recite features that are distinguishable over Masterson. Taking claim 1 as an example:

1. (Currently Amended) A computerized method of teaching spoken language skills comprising:
  - (a) Receiving multiple user utterances into a computer system,  
the user utterances comprising recorded spoken responses to application prompts of a display of the computer system;
  - ~~(b) Receiving criteria for pronunciation errors;~~
  - (~~b~~) Analyzing the user utterances to detect pronunciation errors according to basic sound units and Pronunciation error criteria received in the computer system prior to receiving the multiple user utterances;
  - ~~(c)~~ Providing feedback to the user in accordance with the analysis.

These claim features are described in the application. For example, Figure 2 shows a display of the computer system with prompts, to which a user records responses (see also page 5, lines 11-23). After the user speaks all of the words that are displayed (page 5, lines 22-24), the user may initiate a software analysis program that performs analyzing the user utterances (page 6, lines 8-11). The error criteria for the analysis are not received after the

recorded utterances, rather, the criteria are received prior to receiving the user utterances. See, for example, page 6, lines 12-14 (after recording, a button is presented on the display, which the user may select to initiate analysis of the recording; there is no description of separately receiving the criteria, the criteria are already present in the computer system). Once the analysis is performed, feedback is provided in the form of identified pronunciation errors (page 6, lines 12-17). Thus, claim 1 as amended is supported by the specification. The other independent claim (claim 6) is similarly amended and is supported by the application. Other portions of the application also illustrate and describe the claim features.

**Masterson Does Not Anticipate the Claims**

Masterson does not provide the claimed features. Taking claim 1 of the application as an example, Masterson cannot receive multiple user utterances “comprising recorded spoken responses to application prompts” of the computer system display and Masterson cannot perform “analyzing the user utterances” according to “error criteria received in the computer system prior to receiving the multiple user utterances.” All of these features are recited in claim 1.

***Feature (a): Masterson Does Not Receive Recorded Spoken Responses To Application Prompts Of A Display Of The Computer System***

Unlike the claimed system, Masterson presents a single symbol “representative of a word” and has the student pronounce the word represented by the symbol (see Masterson at column 2, lines 43-46). Masterson cannot receive multiple user utterances “comprising recorded spoken responses to application prompts,” as recited in feature (a) of claim 1.

***Feature (b): Masterson Does Not Analyze User Utterances According To Error Criteria Received In The Computer System Prior To Receiving The Multiple User Utterances***

Masterson cannot perform feature (b), analyzing the user utterances according to “criteria received in the computer system prior to receiving the multiple user utterances.” To the contrary, it is clear that Masterson performs an analysis according to a phonetic representation received from a therapist, who enters the phonetic representation into the computer system after the student speaks (see Masterson at col. 2, lines 47-51). That is, the basic sound units (the

phonetic representation) are not received in Masterson until the therapist provides the representation in response to hearing the user's pronunciation. In contrast, claim 1 recites that the criteria are received in the computer system prior to receiving the multiple user utterances. Thus, Masterson cannot provide feature (b) of claim 1.

***Feature (c): Masterson Does Not Provide Feedback To The User In Accordance With The Analysis***

Masterson also cannot provide the feature (c) of claim 1, providing feedback to the user in accordance with the above-described analysis. Since Masterson cannot provide the claimed analysis, Masterson cannot provide the claimed feedback in accordance with that analysis.

The discussion above shows that Masterson cannot provide the features of claim 1 as amended. Therefore, Masterson does not anticipate claim 1 as amended. Claim 6 as amended is a system claim with similar features as claim 1. It is asserted that Masterson also does not show the features of claim 6 as amended and does not anticipate claim 6. Therefore, claim 1 and claim 6 are allowable over Masterson.

***The Dependent Claims***

The dependent claims (2-5 and 7-10) are allowable for at least the reason of depending from a base claim (claim 1 or 6) that is allowable.

Claim 2 is amended to clarify the claim. Claim 2 as filed is a method claim that recites "garbage analysis" the determines "if the user utterance is a grossly different utterance than the desired utterance." Thus, the claim feature relates to determination of a user utterance, in the singular, and the parenthetical "of one of the user utterances" is added to the claim for clarity. Claim 7 is similarly amended.

**Amendments to the Specification**

The specification is amended to include the "garbage analysis" feature of claims 2 and 7 as filed into the specification at page 9, following line 3. That is, text is taken from the claims as originally filed and is included into the specification. The added text also refers to the system "commenting" during recording in the event of a "significant" mistake, such as a "grossly different" utterance by the user. The "commenting" language is present, for example, at page 8,

lines 14-17 as filed. No new matter has been added. In addition, a typographical error t page 8 has been corrected, changing "spiking" to --speaking--.

**New Claims**

New claims 11-14 have been added. Claims 11 and 13 are method and apparatus claims, respectively, that relate to the "garbage analysis" and the "commenting" operation of the computer system as described at page 8, lines 14-17 and by the added text at page 9 (see above). Thus, claims 11 and 13 are supported by the specification; no new matter has been added. Claims 12 and 14 are method and apparatus claims, respectively, that relate to the communication mode and pronunciation mode, and the corresponding different error criteria used by each operating mode. These features are described in the specification at, for example, page 3, lines 1-10 of the specification as filed. No new matter has been added.

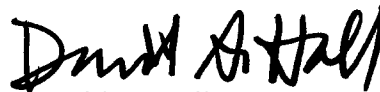
It is submitted that the new dependent claims 11-14 are allowable for at least the reason of depending from respective base claims that are themselves allowable.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,



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